

AMENDED IN ASSEMBLY APRIL 29, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2051

Introduced by Assembly Members Gonzalez and Bocanegra

February 20, 2014

An act to add Section 14043.17 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 2051, as amended, Gonzalez. Medi-Cal: providers: affiliate primary care clinics.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions.

Existing law authorizes the department to adopt regulations for certification of each applicant and each provider in the Medi-Cal program. Existing law requires certain applicants or providers, as defined, to submit a complete application package for enrollment, continuing enrollment, or enrollment at a new location or a change in location. Existing law generally requires the department to give written notice regarding the status of an application to an applicant or provider within a prescribed period of time, as specified.

This bill would require the department, within 15 days after receiving an application and certification package from an applicant that is an affiliate primary care clinic, to provide specified written notice of the status of the application, or to approve the application ~~on the 16th day after receiving the package~~, *effective on the date the affiliate primary*

care clinic license was issued, as specified. The bill would also require the department, within 15 days after ~~approving the approval of~~ an application, ~~to provide written notice regarding certain conditions imposed on the provider, or, on the 16th day after approving an application,~~ to approve the provider’s participation in specified public health programs.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14043.17 is added to the Welfare and
2 Institutions Code, to read:
3 14043.17. (a) Notwithstanding any other law, within 15 days
4 of receiving an application and certification package to be certified
5 as a Medi-Cal provider from an affiliate primary care clinic that
6 is licensed pursuant to Section 1218.1 of the Health and Safety
7 Code and that has been certified for enrollment by the State
8 Department of Public Health, the department shall do either of the
9 following:
10 (1) Provide written notice to the applicant that one of the
11 following applies:
12 (A) The applicant is being granted provisional provider status
13 for a period of 12 months, effective from the date on the notice.
14 (B) The application package is incomplete. The notice shall
15 identify additional information or documentation that is needed to
16 complete the application package.
17 ~~(C) The department is exercising its authority under Section~~
18 ~~14043.37, 14043.4, or 14043.7, and is conducting background~~
19 ~~checks, preenrollment inspections, or unannounced visits.~~
20 ~~(D)~~
21 (C) The application package is denied for any of the following
22 reasons:
23 (i) Pursuant to Section 14043.2 or 14043.36.
24 (ii) For lack of a license necessary to perform the health care
25 services or to provide the goods, supplies, or merchandise directly
26 or indirectly to a Medi-Cal beneficiary, within the applicable
27 provider of service category or subgroup of that category. *primary*
28 *care clinic license.*

- 1 (iii) The period of time during which an applicant or provider
- 2 has been barred from reapplying has not passed.
- 3 (iv) For other stated reasons authorized by law.
- 4 (v) For failing to submit fingerprints as required by federal
- 5 Medicaid regulations.
- 6 (vi) For failing to pay an application fee as required by federal
- 7 Medicaid regulations.
- 8 (2) *Approve the application effective on the date the affiliate*
- 9 *primary care clinic license was issued by the State Department of*
- 10 *Public Health.*
- 11 ~~(2)~~
- 12 (b) ~~On the 16th day after receiving the application, approve the~~
- 13 ~~application and make if action is not taken pursuant to paragraph~~
- 14 ~~(1) or (2) of subdivision (a), then the application is deemed~~
- 15 ~~approved and that approval is effective on the date the affiliate~~
- 16 ~~primary care clinic license was issued by the State Department of~~
- 17 ~~Public Health.~~
- 18 ~~(b)~~
- 19 (c) ~~Notwithstanding any other law, within 15 days of approving~~
- 20 ~~the approval of an application pursuant to subdivision (a) or (b),~~
- 21 ~~the department shall do either of the following: approve the~~
- 22 ~~provider's requested participation in any of the programs described~~
- 23 ~~in Section 1222 of the Health and Safety Code. On the 16th day~~
- 24 ~~after approving the application, if action is not taken, the~~
- 25 ~~provider's requested participation in any of those programs is~~
- 26 ~~deemed approved.~~
- 27 ~~(1) Provide written notice to the provider that one of the~~
- 28 ~~following applies:~~
- 29 ~~(A) The provider is being granted provisional provider status~~
- 30 ~~for a period of 12 months, effective from the date on the notice.~~
- 31 ~~(B) The department is exercising its authority under Section~~
- 32 ~~14043.37, 14043.4, or 14043.7, and is conducting background~~
- 33 ~~checks, preenrollment inspections, or unannounced visits.~~
- 34 ~~(2) On the 16th day after approving the application, approve~~
- 35 ~~the provider's participation in any of the programs described in~~
- 36 ~~Section 1222 of the Health and Safety Code.~~
- 37 (d) *This section shall not be construed to limit the department's*
- 38 *authority pursuant to Section 14043.37, 14043.4, or 14043.7 to*
- 39 *conduct background checks, preenrollment inspections, or*
- 40 *unannounced visits.*

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